



District of Columbia - State Specific Information

Information provided is current as of February 1, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized – 2009 *Revised in 2022 (Medical Cannabis Amendment Act of 2022)
Recreational Use	Legalized – 2014 (Initiative 71)
Possession/Personal Use Specifics	In D.C., adults 21 or older can legally possess up to two ounces of marijuana and gift up to one ounce to another adult, as long as no money or goods are exchanged. Growing up to six plants with no more than three mature at a time within your primary residence is also permitted. Public consumption and possession in vehicles remain strictly prohibited.

State Regulatory Agency Information

State Regulatory Agency	Alcohol Beverage and Cannabis Administration
State Forms (If Applicable)	Reasonable Suspicion Observation Form

State Testing Policy

General Information	While recreational marijuana is legal in D.C., the drug testing landscape remains complex. Importantly, the Cannabis Employment Protections Amendment Act of 2022 prohibits most employers from basing hiring or disciplinary decisions solely on positive marijuana tests. Remember, establishing robust documentation is a key risk mitigant for employers in states like the District of Columbia.
Safety Sensitive Positions	Positions designated as safety sensitive have duties or responsibilities that if performed while under the influence of drugs or alcohol could lead to a lapse of attention that could cause actual, immediate, and permanent physical injury or loss of life to the employee or others.
Privacy Laws	D.C.'s privacy laws ensure secure storage and disposal of drug test samples, limit information sharing regarding results, and hold employers liable for mishandling, with potential employee lawsuits for privacy violations.

Recommended Procedures

Does the state have recommended procedures?

It is always recommended to have standardized documentation and training procedures and regular employee evaluations to set clear performance expectations.

While D.C. doesn't mandate a formal program, private employers can have drug-free workplace policies. However, the [Cannabis Employment Protections Amendment Act](#) of 2022 imposes significant restrictions.

State Employee Procedures and Policies

While public safety agencies likely have stricter internal policies, the Cannabis Employment Protections Amendment Act of 2022 generally protects state employees from termination or disciplinary action based solely on off-duty marijuana use or a positive test result not tied to on-the-job impairment.

Protections for Use Outside Workplace/ Work Hours

Is the District of Columbia a "Right to Weed State"?

While D.C. allows adults to possess, grow, and even gift small amounts of marijuana, buying it remains federally prohibited. This creates a peculiar situation where residents can enjoy legalized weed but can't purchase it through official channels.

More Detailed Information

[MPP - District of Columbia](#)

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:

[District of Columbia Drug Testing Policy](#)

Main Requirement:

In D.C., most employers cannot fire or discipline employees solely based on a positive marijuana test, thanks to the Cannabis Employment Protections Amendment Act, except for safety-sensitive positions. However, post-incident, reasonable suspicion, and return-to-work testing for any position remain permissible, with additional requirements for non-safety-sensitive roles.